

PRELIMINARY DRAFT No. 3529

PREPARED BY LEGISLATIVE SERVICES AGENCY 2006 GENERAL ASSEMBLY

DIGEST

Citations Affected: IC 12-17.4.

Synopsis: Foster care probationary licensing status. Replaces the issuance of probationary licenses with probationary status periods for: (1) child caring institutions; (2) foster homes; (3) group homes; and (4) child placing agencies. Removes provisions that invalidated a license for these entities when a probationary license was issued.

Effective: July 1, 2006.



A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 12-17.4-3-13 IS AMENDED TO READ AS

2	FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 13. (a) The division
3	may grant a place a licensee on probationary license to a licensee who
4	status if the licensee is temporarily unable to comply with a rule and
5	if:
6	(1) the noncompliance does not present an immediate threat to the
7	health and well-being of the children;
8	(2) the licensee files a plan with the division, state department of
9	health, or the state fire marshal to correct the areas of
10	noncompliance within the probationary period; and
11	(3) the division, state department of health, or state fire marshal
12	approves the plan.
13	(b) A probationary license status period is valid for not more than
14	six (6) months. However, the division may extend a probationary
15	license status period for one (1) additional period of six (6) months.
16	(c) A license is invalidated when a probationary license is issued.
17	(d) (c) At the expiration of a probationary license, status period, the
18	division shall: reinstate
19	(1) reactivate the original license to the end of the original term
20	of the license; issue a new license,
21	(2) extend the probationary status period as permitted under
22	subsection (b); or
23	(3) revoke the license.
24	(e) Upon receipt of a probationary license, the licensee shall return
25	to the division the previously issued license.
26	SECTION 2. IC 12-17.4-4-16 IS AMENDED TO READ AS
27	FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 16. (a) The division
28	may grant a place a licensee on probationary license to a licensee who
29	status if the licensee is temporarily unable to comply with a rule and
30	if:
31	(1) the noncompliance does not present an immediate threat to the



1

1	health and well-being of the children;
2	(2) the licensee files a plan with the division to correct the areas
3	of noncompliance within the probationary period; and
4	(3) the division approves the plan.
5	(b) A probationary license status period is valid for not more than
6	six (6) months. However, the division may extend a probationary
7	license status period for one (1) additional period of six (6) months.
8	(c) An existing license is invalidated when a probationary license is
9	issued.
10	(d) (c) At the expiration of a probationary license, status period, the
11	division shall: reinstate
12	(1) reactivate the original license to the end of the original term
13	of the license; issue a new license,
14	(2) extend the probationary status period as permitted in
15	subsection (b); or
16	(3) revoke the license.
17	(e) Upon receipt of a probationary license, the licensee shall return
18	to the division the previously issued license.
19	SECTION 3. IC 12-17.4-5-13 IS AMENDED TO READ AS
20	FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 13. (a) The division
21	may grant a place a licensee on probationary license to a licensee who
22	is status if the licensee is temporarily unable to comply with a rule and
23	if:
24	(1) the noncompliance does not present an immediate threat to the
25	health and well-being of the children;
26	(2) the licensee files a plan with the division, the state department
27	of health, or the state fire marshal to correct the areas of
28	noncompliance within the probationary period; and
29	(3) the division, the state department of health, or the state fire
30	marshal approves the plan.
31	(b) A probationary license status period is valid for not more than
32	six (6) months. However, the division may extend a probationary
33	license status period for one (1) additional period of six (6) months.
34	(c) A license is invalidated when a probationary license is issued.
35	(d) (c) At the expiration of a probationary license, status period, the
36	division shall: reinstate
37	(1) reactivate the original license to the end of the original
38	license's term of the issue a new license;
39	(2) extend the probationary status period as permitted in
40	subsection (b); or
41	(3) revoke the license.
42	(e) Upon receipt of a probationary license, the licensee shall return
43	to the division the previously issued license.
44	SECTION 4. IC 12-17.4-6-12 IS AMENDED TO READ AS
45	FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 12. (a) The division

may grant a place a licensee on probationary license to a licensee who



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46

1	status if the licensee is temporarily unable to comply with a rule and
2	if:
3	(1) the noncompliance does not present an immediate threat to the
4	health and well-being of the children;
5	(2) the licensee files a plan with the division to correct the areas
6	of noncompliance within the probationary period; and
7	(3) the division approves the plan.
8	(b) A probationary license status period is valid for not more than
9	six (6) months. However, the division may extend a probationary
10	license status period for one (1) additional period of six (6) months.
11	(c) An existing license is invalidated when a probationary license is
12	issued.
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14	division shall: reinstate
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16	license's term of the issue a new license;
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18	subsection (b); or
19	(3) revoke the license.
20	(e) Upon receipt of a probationary license, the licensee shall return
21	to the division the previously issued license.

